

Eastern District of Texas

IMPLICIT, LLC

Plaintiff(s)

v.

CAPITAL ONE FINANCIAL CORP., CAPITAL ONE,  
NATIONAL ASSOCIATION

Defendant(s)

Civil Action No. 4:23-cv-770

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* CAPITAL ONE FINANCIAL CORPORATION  
c/o its Registered Agent  
Corporation Service Company  
251 Little Falls Drive  
Wilmington, DE 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: **James M. Lennon**

James M. Lennon  
Devlin Law Firm LLC  
1526 Gilpin Avenue, Wilmington, Delaware 19806  
Telephone: (302) 449-9010  
jlennon@devlinlawfirm.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 8/28/23



CLERK OF COURT

David A. O'Loole

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

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**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* CAPITAL ONE FINANCIAL CORPORATION  
 was received by me on *(date)* 11/07/2023 .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Lynanne Gares- Authorized to Accept \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* Corporation Service Company  
 251 Little Falls Dr., Wilmington, DE 19808 @2:35 p.m. on *(date)* 11/07/2023 ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 11/07/2023

  
 \_\_\_\_\_  
 Server's signature

Michael Powers - Process Server  
 \_\_\_\_\_  
 Printed name and title

230 North Market Street  
 Wilmington, DE 19801  
 \_\_\_\_\_  
 Server's address

Additional information regarding attempted service, etc: